



From the Desk of Scott Taggart Roethle, created in the image of my Almighty God, YHWH, KING of Kings, created as flesh and blood soul possessing being known on this earth as Scott Taggart Roethle.  
Address: 7819 W XXX Court, Overland Park, Kansas [66223]

Date: May 2, 2024

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA Corp. Fiction )	Cause: No. 4:21-cr-000465-RLW
(SRW) )	CUSIP 949921126
)	
)	
v. )	
)	
SCOTT T. ROETHLE, Nom De Guerre )	
Accused )	

Due to time Constraints, this Paper is Served and Filed in the Court via eFile, and via USPO, registered mail, with instructions to the Clerk of the Court to distribute to all Entitled Parties.

**FILE ON DEMAND**

**DEMAND FOR DEFAULT JUDGMENT**  
**REBUTTAL TO DOCUMENT NUMBER 153;**  
**OPPOSITION TO DOCUMENT NUMBER 154**  
**SEEKING COMPETENCY EXAMINATION**

**By Limited Special Appearance, Sui Juris, via written communication with no need to appear in person.**

Notice to agent is notice to principal; notice to principal is notice to agent.

COMES NOW, Scott Taggart Roethle, a private, living, Sovereign man, created in the image of our Almighty God, Sui Juris, as agent for named-defendant, SCOTT T. ROETHLE, corporate fiction, to declare, affirm, and assert the following as being true

to the best of my knowledge in this Demand for Default Judgment, rebuttal to document number 153 and opposition to document 154 seeking competency examination, and I move this court to grant relief by issuing an order of default judgment in my favor, in accordance with my papers previously filed to dismiss indictment filed on or about April 8, 2024 and to deny the motion for psychiatric evaluation at document number 154.

As a matter of law, an Affidavit of Truth must be responded to, on the record, in a similar manner, point-by-point, to every assertion made therein. The Maxim of Law that “an Unrebutted Affidavit is Truth” is also codified in the rules of procedure. Non-Rebutted Affidavits are Prima Facie Evidence in the Case. “Indeed, no more than (Affidavits) is necessary to make the Prima Facie Case.” *U.S. v. Kis (7th Cir. 1981). Cert Denied, 50 U.S. LW. 2169; S. Ct. March 22, 1982.* “Uncontested Affidavit taken as true in support of Summary Judgment.” *Seitzer v. Seitzer, 80 Cal. Rptr. 688* Since the Record of the Parties shows that parties show no rebuttal on record [partial rebuttal on the record], let it be the tacit admission of both Defendants to the stipulated facts throughout all of Petitioners Notices.” ~ *McCullough v. O’Connell case # 22-0068. MAXIM: “An Affidavit of Truth ... can only be satisfied by a rebuttal Affidavit of truth point by point.”* The government failed to respond point-by-point to my demand for dismissal and challenge of jurisdiction, and it only “cherry-picked” parts of the affidavit wherein it attempted to rebut my prima facie case of unrebutted Truth. Therefore, the government stands in lawful default, entitling me to an order granting default judgment in accordance with the papers I filed upon which the court can only rely when issuing its ruling.

As a matter of law, a challenge to jurisdiction, which includes allegations of fraud, and breach of fiduciary duty to the People must each be responded to on the record before the court may proceed with adjudication. *McNutt v. GMAC, 298, US 178* “Jurisdiction, once challenged, is to be proven not by the court, but by the party attempting to assert jurisdiction. The burden of proof of jurisdiction lies with the asserter. The court is only to rule on the sufficiency of the proof tendered.” *Joyce v. U.S. 474, 2d 215* “There is no discretion to ignore lack of jurisdiction.”

As a matter of law in Canon 3B(8)(b) ... this court is precluded from proceeding ***absent mutual and lawful consent***, which includes full disclosure and consideration. The government, having attempted to assume jurisdiction via presumed tacit procurement and tacit acquiescence is barred from said unlawfully relied upon consent. The organic Constitution protects and secures my unalienable right to contract, which also includes rescission of an unlawfully obtained contract. Adhesion contracts or contracts that lack all eight elements of contract, including full disclosure and consideration, are null and void as a matter of law once it is discovered that the contract was obtained via intentional concealment of material facts. I hereby, once again, vehemently object to these proceedings, and I DO NOT CONSENT.

Referring to Document number 154, I vehemently object to such a deceptive and manipulative tactic to masquerade its true intent. The government uses as its reason for demanding a psychiatric evaluation, an out of context quote regarding a Common Grand Jury Demand that was filed in the UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEVADA in a case that had nothing to do with this cause of action, but was merely an example of a “**superseding indictment**” that was filed against many notable congressional public servants therein named in that exhibit, which was labeled as 1 of 1. The fact that it is a **superseding indictment** clearly means that there is at least one original indictment on a case filed within that jurisdiction. The reason I included this document, among others that I also included was to demonstrate that the government is in breach of fiduciary duty to the People, given that many notable and congressional public servants within the federal government have been indicted for treason, which is of course, prima facie evidence of breach of fiduciary duty to the People at the highest level.

However, that is only one of many exhibits I tendered to the court to substantiate the breach of fiduciary duty to the People, all of which deprive the government of sovereignty, and of lawful standing in this cause of action, therefore depriving them of jurisdiction to proceed with this cause of action. This tactic of taking things out of context, and then attempting to demonstrate alleged mental instability, is shameful, unscrupulous, and egregious, at the very least, and attempts to deprive me of my unalienable right to due process and to unfettered right to life, liberty and the pursuit of happiness. In that same document number 154, the government also alleges that my behavior has changed since this cause of action was first initiated. The fact is that once I learned that my attorneys had been committing fraud, swindle, and were grossly ineffective in counsel, I demanded that they be immediately removed. At that point I was then able to exercise my lawful, protected, secure, and unalienable due process rights to defend myself without the impediment of de facto BAR attorneys who owe no allegiance to me, and were not providing lawful assistance of counsel. It was not until I fired my attorneys that I was able to then address the court as it should have been addressed from the beginning, seeing as the organic Constitution and its Amendments is the supreme law of the land and I am entitled to defend from that perspective. The departure you are witnessing in my difference in behavior has nothing to do with mental incapacity. It has to do with the, figuratively speaking, “shackles” having been removed so that I can finally directly address the court and exercise my due process rights, and safeguard against any deprivations or violations I can lawfully assert in my defense. McAlister vs. Henkel, 201 U.S. 90, 26 S. Ct. 385, 50 L. Ed. 671; Commonwealth vs. Shaw, 4 Cush. 594, 50 Am. Dec. 813; Orum vs. State, 38 Ohio App. 171, 175 N.E. 876 Judge of the United States Ninth Circuit Court of Appeals

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James Alger Fee “The privilege against self-incrimination [or any secured and protected rights] is neither accorded to the passive resistant, nor to the person who is ignorant of his rights, nor to the one indifferent thereto. It is a FIGHTING clause. Its benefits can be retained only by sustained COMBAT. It cannot be claimed by attorney or solicitor. It is valid only when insisted upon by a BELLIGERENT claimant in person.”

From that perspective, I include herein **EXHIBITS 1 AND 2**, affidavits from two people who know me well and hereby testify to my mental capacity as being sound and competent, with no need for me to undergo a sham psychiatric evaluation.

For these reasons, I vehemently object to any order that would compel me to succumb to suppressive, unnecessary and deceptive tactics to order a psychiatric evaluation from **someone that is paid by the government** to render their bought and paid for opinion about any alleged diminished mental capacity. These tactics necessarily wreak with bias against me and deprive me of due process. These tactics appear to run rampant in these causes of action to force BAR attorney representation against the will of perfectly sane and competent alleged defendants, and in violation of due process, unalienable and protected rights to self-presentation. I hereby assert that I am NOT suffering from any “mental disease or defect rendering him [me] mentally incompetent to the extent that he is [I am] unable to understand the nature and consequences of the proceedings against him [me] or to assist properly in his [my] defense,” pursuant to 18 USC Section 4241(a). And I DO NOT CONSENT to any psychiatric evaluation, which motivation to order said evaluation is self-serving for the purpose of denying me my unalienable and protected rights to self-represent such that the court can then deprive me of my ability to assert my secured rights, as stated above by Court of Appeals Justice James Alger Fee.

Referring to document 153, the government alleges that I based my demand for dismissal upon “**sovereign-citizen-like** challenges to this Court’s jurisdiction.” In fact, the government intentionally misrepresents the material facts stated within my demand for dismissal (words matter). Such intentional misrepresentation is prima facie evidence of the government’s fraud upon the court. Nowhere in my demand for dismissal do I ever allege sovereign citizenship. My assertions are based upon lawfully protected and secured rights, as well as incontrovertible facts wherein I included Exhibits to substantiate my assertions. Any twisting of my words must not be allowed because they are blatant misrepresentations of what I stated in fact.

An argument of “sovereign-citizen-like” challenge is an oxymoron. As a matter of definition, one cannot be a sovereign citizen, and anyone alleging that they are sovereign citizens are misguided at the very least. Nonetheless, this court would have to defeat a clearly stated argument on my part alleging that I supposedly stated that I am a sovereign citizen, which I have never stated, nor would I ever make such a ridiculous claim. What I did state is that I am an American state citizen of the Republic of Kansas, which is NOT a sovereign citizen. I also stated that I am a living, breathing, private, Sovereign man, which is a statement of fact. **Chisholm v. Georgia (US) 2 Dall 419, 454. L L Ed, 440, 455 @ Dall (1793) pp 471-472** “... at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects... with none to govern but themselves...” Therefore, this attempt to rebut my challenge to jurisdiction via such a blatantly false claim by the government, is baseless, egregious, deliberately misleading, and without merit.



The government cites a case wherein it insinuates that I asserted that the “federal government is illegitimate and insist that they [I] are not [am not] subject to its jurisdiction.” This is another blatant misrepresentation of what I stated. Among my many arguments, I presented many instances of irrefutable evidence of breach of fiduciary duty, fraud, etc. on the part of the de facto government, rendering the federal government’s presumed sovereignty null and void. I also offered on the record prima facie evidence of the treason committed by the 41<sup>st</sup> congress in 1871 wherein, with no authority from the People, it surreptitiously changed the form of the federal government from a Republican form of government, as mandated by the organic Constitution, to that of an unlawful foreign corporation. Those acts stripped the now de facto federal government of the original sovereignty granted to the de jure federal government, thus rendering the de facto federal government in breach of fiduciary duty to the People, as a matter of law. Thus, losing standing to bring forth any cause of action.

The government falsely claims that “[A] federal court has jurisdiction to determine its own jurisdiction.” I respectfully disagree, and so does ***Rescue Army v. Municipal Court of Los Angeles*, 171 P2d 8; 331 US 549, 91 L. ed. 1666, 67 S. Ct. 1409. “A court has no jurisdiction to determine its own jurisdiction, for a basic issue in any case before a tribunal is its power to act, and a court must have the authority to decide that question in the first instance.”** Once again, the government deliberately misrepresents matters of law, thus entitling me to dismissal with prejudice in accordance with the papers and the lawful remedies sought therein.

The government states that Congress has conferred **subject-matter jurisdiction over federal criminal offenses** to the federal district courts, at **18 USC 3231**. “The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States. Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.”

Nowhere in that section of the United States Code does it state any such thing. I do not see the words “criminal offenses” anywhere in that code. In fact, it does not exist, and the government once again intentionally misrepresents the facts. Notwithstanding, the government has failed to address, point-by-point all my assertions regarding why the de facto government has no jurisdiction whatsoever, given that it lawfully lost its sovereignty dating all the way back to at least 1819 with the lawful passage of the original 13<sup>th</sup> Amendment, and moving forward from there with the treason it committed in 1871 with the unlawful passage of the Organic Act of 1871, and the breach of fiduciary duty to the People in 1933 with the bank secrecy act, and the real time breaches of their fiduciary duty to the People regarding the patents whereupon the government has failed to provide for the general welfare of the People as one of its Constitutional mandates, and the open southern border, allowing foreign invaders into our country... all prima facie evidence of blatant and incontrovertible breach of fiduciary duty to the People. When a government is in breach of fiduciary duty, as a matter of law, it loses all jurisdictional authority, and it cannot bring forth any causes of action or enforce any alleged laws.

Additionally, I cited numerous cases that specifically state the government was never granted any jurisdiction over any common law crimes. Those crimes are reserved for the several states as affirmed in ***United States v. Hudson and Goodwin, the Slaughterhouse Cases, Cruikshank, and U.S. v Bond, etc.***

The de jure federal government was only granted limited powers, which did not include common law crimes, and the Seventh Amendment states that the court must follow the common law... **“where the value in controversy shall exceed twenty dollars...”** I searched for the definition of “controversy”, and nowhere could I find any definition stating that a controversy includes any criminal acts. At law, “controversies” are civil acts, which is in harmony with the organic Constitution not having granted jurisdiction over common law crimes to the de jure federal government. This cause of action being one of a controversy exceeding twenty dollars, and the organic Constitution reserving common law crimes to the several states, I fail to see any law that lawfully and constitutionally criminalizes a controversy exceeding twenty dollars. Additionally, ***United States v. Hudson and Goodwin*** specifically states: **“Certain implied powers must necessarily result to our courts of justice from the nature of their institution. But jurisdiction of crimes against the state is not among those powers ... all exercise of criminal jurisdiction in common law cases we are of opinion is not within their implied powers.”** Therefore, not only does the organic Constitution not grant adjudication of common law crimes to the federal government, it also does not grant or imply criminal jurisdiction to the state [federal government]. In other words, the age-old common law requirement of corpus delicti and the requirement that a man or a woman come forth to assert an injury in fact remains the law of the land. Unless the government can bring forth an individual man or woman who alleges injury in fact, there is no common law crime.

In furtherance of these assertions, and pursuant to precedent cases as stated within the demand for dismissal, the government has no standing as a plaintiff in a criminal case. I note that in Section 28 of the United States Code (Removal to Federal from State cases) it does not provide any option whatsoever to remove any criminal case into federal jurisdiction, not even as a diversity case. It does, however, provide an option to remove a civil case exceeding \$75,000 into federal jurisdiction, **as a diversity case**, in accordance with Article III, Section II, Clause I of the de jure Constitution, in harmony with the Seventh Amendment as I stated in my demand for dismissal. Why would that be, other than that original jurisdiction in criminal causes of action are **not** conferred to the organic federal government in accordance with precedent cases I have already asserted herein and in my demand for dismissal, and as illustrated in US Code Title 28.

The government relies upon my allegedly having voluntarily appeared before the court. I respectfully disagree. On the onset of this cause of action, I was represented by BAR-member attorneys. Those attorneys grossly violated my rights by not protecting my secured rights and by compelling me to unlawfully surrender my papers and my testimony in direct violation of my due process and protected rights under the Fourth and Fifth Amendments, and my unalienable rights to life, liberty, and the pursuit of happiness,

absent due process. Their gross ineffective assistance of counsel compelled me to fire them and to proceed Sui Juris. It was then that I discovered the fraud being perpetrated upon me. When one is induced to appear under duress and under threat of imprisonment, one can hardly consider that as being a voluntary appearance. When the government is intentionally concealing the fraudulently assumed and presumed jurisdictional authority by not revealing that an adhesion contract underlies this appearance, one can hardly consider this a voluntary act under contract law. When breach of fiduciary duty to the People is discovered, one has an unalienable and protected right to rescission any presumed or assumed adhesion contract. Any and all of those facts, as a matter of law, entitle me to rescission any assumed contract or presumed consent the government may have falsely and fraudulently assumed. See ***Throckmorton "Fraud vitiates all" Cruden v. Neale, 2 N.C. 338 (1796) 2 S.E U.S. SUPREME COURT DECISION – 1796*** – “There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent”. Presumed consent, of course, can be lawfully withdrawn at any time once it is discovered that such consent was unlawfully and deceitfully obtained.

In summary, the government failed to respond, ***point-by-point***, to the assertions within the demand for dismissal, which was written as an Affidavit of Truth, and challenges jurisdiction. The government failed to prove on the record its jurisdictional authority, which jurisdictional authority was also never asserted within the indictment or at any time during the entirety of this cause of action. The government failed to state a lawful cause upon which relief can be granted to the government. Pursuant to the organic Constitution, the federal government was never granted jurisdiction over common law crimes. Pursuant to the organic Constitution, and to precedent cases, the federal government was never given lawful authority to dramatically overreach by delegating powers to so many layers of three letter agencies, whereupon they bypass, usurp, and violate secured and protected rights within the foundational documents of the Republic, and the Amendments to the organic Constitution, such as subpoena power, unlawfully granted to three letter agencies, operating under the color of law, under threat of criminal contempt, which violates the Fourth and Fifth Amendments and due process as an unalienable right. Pursuant to the Seventh Amendment, causes of action that involve controversies exceeding twenty dollars are civil in nature.

The government is in prima facie default and this court must rely upon the totality of my assertions in the demand for dismissal and my rebuttal herein to the absurd responses the government attempts to rely upon to deny me due process, and it must issue an order of default judgment and complete dismissal in accordance with the submitted papers and the lawful remedies sought therein.

For all the reasons stated herein, the government has failed to offer proof on the record of its presumed and assumed jurisdictional authority, and I therefore move this Court to grant my request to issue an Order of default judgment against the government and dismissal with prejudice of all charges against me in this cause of action, in

accordance with the lawful remedies sought in my demand for dismissal tendered to this court on or about April 8, 2024; and to DENY the government's motion for a psychiatric evaluation. I further move this court to ***please respond within 5 days*** as a reasonable time for a response.

Respectfully submitted this 2nd day of May in the year of our Lord 2024.

Scott Taggart Roethle



**CERTIFICATE OF SERVICE**

On this 2nd day of May in the year of our Lord, 2024, I sent, via registered mail, the papers within this document.

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